

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Petroleum Marketing Group, Inc., PMG
Eastern Shore, LLC, and Ocean
Petroleum, LLC

Plaintiffs,

vs.

No. 8:19-cv-01256-DNH-CFH

Express Farm, Inc. and Xi Li

Defendants.

JOINT MOTION TO AMEND STIPULATED ORDER

Earlier, the parties amicably resolved Plaintiffs’ request for preliminary injunctive relief through a stipulated order (Doc. No. 9). That order required Defendant Express Farm, Inc. to operate its gas station under the Mobil brand and to buy gas from Plaintiff Petroleum Marketing Group, Inc. during the “pendency” of this lawsuit. The parties have now agreed to terminate their relationship without affecting Plaintiffs’ claims for breach of contract and without affecting Defendants’ defenses to those claims. Under the agreement, as of January 8, 2019, Defendants would no longer operate as a Mobil station and would no longer purchase gas from PMG.

The parties need this Court’s assistance to implement their agreement, given that the prior stipulated order would require continued Mobil branding and continued purchases from PMG even after January 8, 2019. Accordingly, the parties jointly and respectfully request that this Court approve of the attached stipulated order. The attached order vacates the prior stipulated order and implements the agreement discussed in the previous paragraph.

This motion is returnable February 10, 2020.

Respectfully submitted,

s/ Urs Broderick Furrer

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